

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

LEONARD MCCLOUD

PLAINTIFF

V.

CAUSE NO. 3:16-CV-991-CWR-FKB

MICHAEL HUSZAR, ET. AL,

DEFENDANTS

ORDER ADOPTING REPORT AND RECOMMENDATION

This matter is before the Court pursuant to the Report and Recommendation of United States Magistrate Judge F. Keith Ball, which was entered on September 24, 2018. Docket No. 63. The Report and Recommendation clearly notified the parties that failure to file written objections to the findings and recommendations contained therein within 14 days after service would bar further appeal in accordance with 28 U.S.C. § 636. *Id.* This Court, finding that there has been no submission of written objections by any party, hereby adopts said Report and Recommendation as the Order of this Court.

As outlined in the Report and Recommendation, on May 19, 2017, Plaintiff fully agreed to finally settle all claims against Defendants and be responsible for the payment of all liens arising from his claims and alleged damages. Plaintiff was responsible for executing and returning to Defendants a full Release of all claims and written confirmation from lienholders of the satisfaction of liens related to the claims in this case. Plaintiff, however, has never executed the Release or provided written confirmation of the resolution of his medical liens. As such, Defendants filed a Motion to Enforce the Settlement Agreement. Docket No. 58. Plaintiff has been non-responsive to Defendant's motion and this Court's orders. *See* Docket No. 63 at 1–2.

It is the Order of this Court that Plaintiff agreed to the Settlement Agreement and has now breached its provisions. The settlement precludes any further action by Plaintiff against

Defendants or their insurance carrier, as well as any future derivative claims against Defendants and/or their insurance carrier. *See* Docket No. 58-1. Further, the settlement requires Plaintiff to pay all “liens, claims, and encumbrances arising from or relating to Plaintiff’s claims and alleged damages” in this case. *Id.* Plaintiff must produce a signed Release of all claims and written confirmation of the resolution of his medical liens.

Accordingly, Defendants’ Motion to Enforce Settlement is GRANTED [Docket No. 58].

SO ORDERED, this the 24th day of October, 2018.

s/ Carlton W. Reeves
UNITED STATES DISTRICT JUDGE